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HOUSE BILL 1786

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State of Washington                      54th Legislature                      1995 Regular Session

By Representatives Sherstad, Dyer, G. Fisher, Mielke, Morris and Grant

Read first time 02/08/95. Referred to Committee on Health Care.

1            AN ACT Relating to dental assistants; amending RCW 18.32.030,  
2 18.32.0351, 18.32.0355, and 18.32.0357; and adding new sections to  
3 chapter 18.32 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 18.32 RCW  
6 to read as follows:

7            Unless a different meaning is indicated by the context, the  
8 following definitions apply throughout this chapter:

9            (1) "Dental assistant" means an unlicensed person who assists a  
10 licensed dentist in providing dental care to patients pursuant to this  
11 chapter.

12            (2) "Credentialed dental assistant" means a licensed dental  
13 assistant who is authorized to perform the duties specified in section  
14 3 of this act.

15            **Sec. 2.** RCW 18.32.030 and 1994 sp.s. c 9 s 203 are each amended to  
16 read as follows:

17            The following practices, acts, and operations are excepted from the  
18 operation of the provisions of this chapter:

1 (1) The rendering of dental relief in emergency cases in the  
2 practice of his or her profession by a physician or surgeon, licensed  
3 as such and registered under the laws of this state, unless the  
4 physician or surgeon undertakes to or does reproduce lost parts of the  
5 human teeth in the mouth or to restore or to replace in the human mouth  
6 lost or missing teeth;

7 (2) The practice of dentistry in the discharge of official duties  
8 by dentists in the United States federal services on federal  
9 reservations, including but not limited to the armed services, coast  
10 guard, public health service, veterans' bureau, or bureau of Indian  
11 affairs;

12 (3) Dental schools or colleges approved under RCW 18.32.040, and  
13 the practice of dentistry by students in Washington state dental  
14 schools or colleges approved by the commission, when acting under the  
15 direction and supervision of Washington state-licensed dental school  
16 faculty;

17 (4) The practice of dentistry by licensed dentists of other states  
18 or countries while appearing as clinicians at meetings of the  
19 Washington state dental association, or component parts thereof, or at  
20 meetings sanctioned by them, or other groups approved by the  
21 commission;

22 (5) The use of roentgen and other rays for making radiographs or  
23 similar records of dental or oral tissues, under the supervision of a  
24 licensed dentist or physician;

25 (6) The making, repairing, altering, or supplying of artificial  
26 restorations, substitutions, appliances, or materials for the  
27 correction of disease, loss, deformity, malposition, dislocation,  
28 fracture, injury to the jaws, teeth, lips, gums, cheeks, palate, or  
29 associated tissues or parts; providing the same are made, repaired,  
30 altered, or supplied pursuant to the written instructions and order of  
31 a licensed dentist which may be accompanied by casts, models, or  
32 impressions furnished by the dentist, and the prescriptions shall be  
33 retained and filed for a period of not less than three years and shall  
34 be available to and subject to the examination of the secretary or the  
35 secretary's authorized representatives;

36 (7) The removal of deposits and stains from the surfaces of the  
37 teeth, the application of topical preventative or prophylactic agents,  
38 and the polishing and smoothing of restorations, when performed or  
39 prescribed by a dental hygienist licensed under the laws of this state;

1 (8) A qualified and licensed physician and surgeon or osteopathic  
2 physician and surgeon extracting teeth or performing oral surgery  
3 pursuant to the scope of practice under chapter 18.71 or 18.57 RCW;

4 (9) The performing of dental operations or services by (~~persons~~  
5 ~~not licensed under this chapter~~) dental assistants and/or credentialed  
6 dental assistants when performed under the supervision of a licensed  
7 dentist: PROVIDED HOWEVER, That (~~such nonlicensed person~~) a dental  
8 assistant shall in no event perform the following dental operations or  
9 services unless permitted to be performed by the person under this  
10 chapter or chapters 18.29, 18.57, 18.71, and 18.79 RCW as it applies to  
11 registered nurses and advanced registered nurse practitioners:

12 (a) Any removal of or addition to the hard or soft tissue of the  
13 oral cavity;

14 (b) Any diagnosis of or prescription for treatment of disease,  
15 pain, deformity, deficiency, injury, or physical condition of the human  
16 teeth or jaws, or adjacent structure;

17 (c) Any administration of general or injected local anaesthetic of  
18 any nature in connection with a dental operation, including intravenous  
19 sedation;

20 (d) Any oral prophylaxis;

21 (e) The taking of any impressions of the teeth or jaw or the  
22 relationships of the teeth or jaws, for the purpose of fabricating any  
23 intra-oral restoration, appliance, or prosthesis.

24 NEW SECTION. Sec. 3. A new section is added to chapter 18.32 RCW  
25 to read as follows:

26 (1) Credentialed dental assistants may perform all duties performed  
27 by dental assistants and one or all of the following expanded duties,  
28 after meeting the requirements set forth in subsection (2) of this  
29 section:

30 (a) Under the close supervision of a dentist, place restorative  
31 material into a cavity prepared by the dentist and thereafter carve,  
32 contour, and adjust contacts and occlusions of the restoration, and  
33 cement or recement stainless steel crowns. This expanded function  
34 requires coursework and ability in such subjects as dental anatomy,  
35 restorative materials, and restorative techniques;

36 (b) Under the close supervision of a dentist, give oral injections  
37 of local anesthetic. This expanded function requires coursework and

1 ability in such subjects as head and neck anatomy, pharmacology, and  
2 local anesthesia; and

3 (c) Under the close supervision of a dentist, perform supragingival  
4 tooth scaling and polishing on patients with either periodontally  
5 healthy mouths or localized plaque-induced gingivitis and exhibiting no  
6 significant complicating systemic medical disease or disorder. This  
7 expanded function requires coursework and ability in subjects such as  
8 periodontal orientation, oral pathology, and clinical techniques.

9 (2) To perform expanded duties, credentialed dental assistants must  
10 successfully complete an educational program approved by the commission  
11 that: (a) Was designed to provide adequate didactic and clinical  
12 training for expanded duties; and (b) has been approved by the  
13 commission. The credentialed dental assistant carrying out expanded  
14 duties must meet standards of proficiency in infection control and  
15 radiology, as determined by the commission. The commission may set  
16 other requirements by rule.

17 **Sec. 4.** RCW 18.32.0351 and 1994 sp.s. c 9 s 204 are each amended  
18 to read as follows:

19 The Washington state dental quality assurance commission is  
20 established, consisting of (~~fourteen~~) fifteen members, each appointed  
21 by the governor to a four-year term. No member may serve more than two  
22 consecutive full terms. In appointing the initial members of the  
23 commission, it is the intent of the legislature that, to the extent  
24 possible, members of the previous boards and committees regulating  
25 these professions be appointed to the commission. Members of the  
26 commission hold office until their successors are appointed. The  
27 governor may appoint members of the initial commission to staggered  
28 terms of from one to four years. Thereafter, all members shall be  
29 appointed to full four-year terms. Twelve members of the commission  
30 must be dentists (~~and~~), two members must be public members, and one  
31 member must be a dental assistant.

32 **Sec. 5.** RCW 18.32.0355 and 1994 sp.s. c 9 s 206 are each amended  
33 to read as follows:

34 Members must be citizens of the United States and residents of this  
35 state. Dentist members must be licensed dentists in the active  
36 practice of dentistry for a period of five years before appointment.  
37 Of the twelve dentists appointed to the commission, at least four must

1 reside and engage in the active practice of dentistry east of the  
2 summit of the Cascade mountain range. Public members of the commission  
3 may not be a member of any other health care licensing board or  
4 commission, or have a fiduciary obligation to a facility rendering  
5 health services regulated by the commission, or have a material or  
6 financial interest in the rendering of health services regulated by the  
7 commission. The dental assistant member must be a dental assistant  
8 actively engaged in the practice of dental assisting for a period of  
9 five years before appointment.

10 **Sec. 6.** RCW 18.32.0357 and 1994 sp.s. c 9 s 207 are each amended  
11 to read as follows:

12 (1) The commission shall elect officers each year. Meetings of the  
13 commission are open to the public, except the commission may hold  
14 executive sessions to the extent permitted by chapter 42.30 RCW. The  
15 secretary of health shall furnish such secretarial, clerical, and other  
16 assistance as the commission may require.

17 (2) A majority of the commission members appointed and serving  
18 constitutes a quorum for the transaction of commission business. The  
19 affirmative vote of a majority of a quorum of the commission is  
20 required to carry a motion or resolution, to adopt a rule, or to pass  
21 a measure.

22 (3) The commission may appoint members of panels consisting of not  
23 less than three members. A quorum for transaction of any business  
24 shall be a minimum of three members. A majority vote of a quorum of  
25 the panel is required to transact business delegated to it by the  
26 commission.

27 (4) The members of the commission are immune from suit in an  
28 action, civil or criminal, based upon its disciplinary proceedings or  
29 other official acts performed in good faith as members of the  
30 commission.

31 (5) The commission may, whenever the workload of the commission  
32 requires, request that the secretary appoint pro tempore members.  
33 While serving as members pro tempore persons have all the powers,  
34 duties, and immunities, and are entitled to the emoluments, including  
35 travel expenses, of the commission.

36 (6) The commission shall prepare or determine the nature of the  
37 examinations for applicants to practice dentistry and applicants to  
38 practice credentialed dental assisting.

1       (7) The attorney general shall advise the commission and represent  
2 it in all legal proceedings.

3       NEW SECTION.   **Sec. 7.** A new section is added to chapter 18.32 RCW  
4 to read as follows:

5       Applications for credentialed dental assistant's license shall be  
6 submitted on forms provided by the commission. The commission may  
7 require any information and documentation that reasonably relates to  
8 the need to determine whether the applicant meets the criteria provided  
9 for in this chapter. Each applicant shall pay a fee determined by the  
10 secretary under RCW 43.70.250.

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